

## EXTENSION OF TIME

(If an extension of time is appropriate complete (a) or (b), as applicable)

6. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

*NOTE: 37 C.F.R. § 1.704(b) ". . .an applicant shall be deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods of time in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, measuring such three-month period from the date the notice or action was mailed or given to the applicant, in which case the period of adjustment set forth in § 1.703 shall be reduced by the number of days, if any, beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication notifying the applicant of the rejection, objection, argument, or other request and ending on the date the reply was filed. The period, or shortened statutory period, for reply that is set in the Office action or notice has no effect on the three-month period set forth in this paragraph."*

- (a)  Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a)(1)-(4), for the total number of months checked below:

| Extension for<br><u>(months)</u>              | Fee for other than<br><u>small entity</u> | Fee for<br><u>small entity</u> |
|---|---|--------------------------------|
| <input checked="" type="checkbox"/> one month | \$ 110.00                                 | \$ 55.00                       |
| <input type="checkbox"/> two months           | \$ 410.00                                 | \$ 205.00                      |
| <input type="checkbox"/> three months         | \$ 930.00                                 | \$ 465.00                      |
| <input type="checkbox"/> four months          | \$ 1,450.00                               | \$ 725.00                      |

Fee: \$ 110.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

- An extension for \_\_\_\_\_ months has already been secured, and the fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b)  Applicant believes that no extension of time is required. However, this is a conditional petition and authorization to pay the necessary fees to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## TOTAL FEE(S) DUE

**WARNING:** The fee for continued examination under § 1.114 may not be deferred. 37 C.F.R. § 1.53(f).

7. The total fee(s) due is/are:

|   |                  |
|---|------------------|
| Continued Prosecution Fee (§ 1.17(e))                 | \$ <u>750.00</u> |
| Fee(s) for additional claims (if any) (§ 1.16(b)-(d)) | \$ <u>---</u>    |
| Extension of time fee (if any) (§ 1.17(a)(1)-(4))     | \$ <u>110.00</u> |
| Total Fee(s) Due                                      | \$ <u>860.00</u> |

## PAYMENT OF FEE(S) DUE

8. Please pay the fee(s) for this continued examination application as follows:

Check is attached for the sum of \$ 860.00  
 Charge Account \_\_\_\_\_ the sum of \$ \_\_\_\_\_  
 Charge Credit Card the sum of \$ \_\_\_\_\_  
(Credit Card Payment Form (PTO-2038) attached)

Please charge any required additional fee(s) for § 1.17(e), § 1.16(b)-(d) and/or  
§ 1.17(a)(1)-(4) to

Account 06-0308  
 Credit Card (Credit Card Payment Form (PTO-2038) attached).

## INVENTORSHIP

NOTE: Any change of inventors must be via the procedure set forth in 37 CFR § 1.48. See Notice of March 10, 2000, 65 Fed Reg 14865, at 14868.

9. This application as amended names as inventors:

the same inventors as previously designated for the claims.  
 fewer than the inventors previously designated and a statement accompanies this request for the deletion of the name or names of the person or persons who are not inventors of the invention now being claimed.  
 a person not named previously as an inventor and a petition under 37 C.F.R. § 1.48 is/has separately:  being filed  been filed

## DEFERRAL OF EXAMINATION

10.  A request for deferral of examination accompanies this request for continued examination.

Reg. No.: 33,961



SIGNATURE OF PRACTITIONER

Tel. No.: ( 216 ) 861-5582

Scott A. McCollister

(type or print name of practitioner)

FAY, SHARPE, FAGAN, MINNICH & MCKEE, LLP  
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P.O. Address

Customer No.:

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(Request for Continued Examination (RCE) (37 C.F.R. § 1.114) [9-64]—page 6 of 6)